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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,891	06/21/2001	Kazuya Suzuki	33718	6118
116	7590	11/16/2005	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			REKSTAD, ERICK J	
			ART UNIT	PAPER NUMBER
			2613	

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/886,891	Applicant(s) SUZUKI ET AL.	
	Examiner Erick Rekstad	Art Unit 2613	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

This is a Non-Final Action for application no. 09/886,891 in response to the RCE filed on August 22, 2005 where in claims 1, 2 and 4-8 are presented for examination.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 2 and 4-8 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 5,982,420 to Ratz in view of US Patent 5,631,697 to Nishimura et al.

[claim 1]

Ratz teaches a surveillance system comprising a camera unit for transforming an image into an image signal and outputting said image signal.

Ratz further teaches a display unit having a screen and operative to transform into an image said image signal outputted by said camera unit to display said image on said screen (Note: camera system generates a composite video signal containing image signals and has a display device, Column 1, Lines 66-67, Column 2, Lines 1-3), camera unit being operative to automatically chase an object as a chasing target to have said display unit display said object as said chasing target and a display unit including marker displaying means for displaying a marker on said screen and chasing target determining means for determining said object spaced apart from said marker at a predetermined distance as said chasing target among said images displayed on said screen (Note: camera system including an automatic tracking device, a reference box

for confining and locating the information defining the preselected portion as it is being viewed on the display, Column 2, Lines 4-14, Fig. 1).

Ratz teaches the use of a joystick operative to output position signals and signal controlling means for receiving signals outputted by joystick to control camera and joystick having ability to control two states and setting means for setting states (Column 12, Lines 32-43, Col 12 Lines 54-67).

Said camera unit is operative to automatically chase said object selected as said chasing target to ensure that said object selected as said chasing target is displayed on said screen (Col 12, Lines 54-67, Abstract).

Ratz does not teach the photographing direction of said camera unit not being changed when moving the marker on said screen.

As shown in Figures 9 and 10, Nishimura teaches a similar automatic target tracking system as Ratz. Nishimura teaches the method of determining an object to track by using a marker (Col 10 Line 51-Col 11 Line 17, Fig. 9). Nishimura further teaches the combination of the electrical target tracking method (Figs. 2(a)-2(b) and 9) with the mechanical target tracking method (pedestal 300, Fig. 12(a)) in order to provide a smoother and more accurate target tracker (Col 12 Lines (8-12). Nishimura further teaches the benefit of an electrical/mechanical target tracking system in order to maintain an accurate target tracking when a camera can only be mechanically moved one-dimensionally (Col 14 Line 48-Col 15 Line 5, Figs. 18(a)-18(c)). Nishimura further teaches the combination of the marker camera system of Fig. 9 with the mechanical tracking means (pedestal 300, Fig. 12(a)) (Col 14 Lines 23-29). In such a system the

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user moving the marker would move the camera when moving the marker up and down (when the camera is a one-dimensional camera) but would not move the camera when moving the marker left and right. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the electrical/mechanical target tracking means of Nishimura with the system of Ratz in order to provide a smoother and more accurate target tracking.

[claims 2 and 6]

Ratz further teaches the marker is constituted by a pointer and said chasing object target determining means is operative to determine said object superimposed by pointer (Column 2, Lines 15-18).

[claim 4]

Ratz further teaches the marker displaying means is superimposed with object (Note: white lines on display screen along with rectangular box (i.e. marker), Column 12, Lines 4-17).

[claim 5]

Ratz teaches the marker forms a plurality of screen areas on said screen and said chasing target determining means is operative to determine said object positioned within one predetermined screen area on said screen (Column 13, Lines 28-35).

[claim 7]

Ratz teaches the chasing target determining means is operative to determine only one object as said chasing target to automatically be chased when said object is displayed on said screen (Column 12, Lines 15-18).

[claim 8]

Ratz teaches the marker is made up of vertical and horizontal lines to form a plurality of areas (Note: crosshair defined by vertical and horizontal lines, running the length of the screen, Column 11, Lines 58-63, Column 12, Lines 4-14).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 6,079,862 to Kawashima et al.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erick Rekstad whose telephone number is 571-272-7338. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on 571-272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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